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| EXAMINER | |
|---|---|
| MOORE, IAN N | |

| ART UNIT | PAPER NUMBER |
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| 2661 | |

DATE MAILED: 06/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 09/661,195 | HOKAO, TOMOAKI | |
| | Examiner | Art Unit | |
| | Ian N Moore | 2661 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) 1-57 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-7,11-21,25-35,39-47,49-52 and 54-57 is/are rejected.

7)☐ Claim(s) 8-10,22-24,36-38,48 and 53 is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

## DETAILED ACTION

### *Response to Amendment*

1. Claim objections, on claims 5-14,26-28,32 and 41-42 are withdrawn since they are being amended accordingly.
2. Applicant's arguments, see page 16, line l4 " measuring intra-cell stay times", filed 54-15-2004, with respect to the rejection(s)of claim(s) **1,15 and 29** under USC 102 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection under 35 U.S.C. 103(a) is made Losh in view of Leung (U.S. 5,623,535).

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claim 1, 15 and 29 rejected under 35 U.S.C. 103(a) as being unpatentable over Losh (U.S. 6,173,181) in view of Leung (U.S. 5,623,535).

**Regarding Claims 1, 15, and 29**, Losh'181 discloses a mobile communication terminal equipment (**see Fig. 4, a subscriber unit 50**) for a CDMA cellular phone system (**see col. 7, line 40-41; CDMA cellular communication system**), a control method for cell detection, and a recoding medium (**see FIG. 4, Memory 58**) recording a program for a control method, comprising:

detection means (**see FIG. 4, Scanner 66 which couples to antenna 54; note that the scanner must detects/identifies/notices/senses the codes via antenna before it scans**) for performing cell detection by detecting scramble codes (**i.e. neighborhood cell code identifiers, note that it is well known in the art that the codes must be scrambled/encrypted in order to uniquely and securely identify the cell before sending over the air interface**) of a visiting cell and neighboring cell (**see Fig. 4, neighbor scan list 68 contains a neighbor cell list, which comprises a combined list of the visiting and neighboring cells; see col. 7, line 65 to col. 8, line 3; and col. 4, line 40-56; note that the scanner measures/detects the characteristic of received signal from other cells (i.e. neighbors and visiting cells), and each cell is identified by their identification (i.e. scrambling/encrypted identification codes)**);

memory means (**see FIG. 4, Memory 58**) for storing a scramble code (**see FIG.4, Candidate scan list 60 and mode instructions 62; see col. 7, line 42-45; a plurality of neighbor scan lists which are sorted per preference (i.e. candidate scan lists) are stored in the memory; thus, it is clear that each neighbor list must contain an identification code (i.e. scrambling/encrypted codes) in order to identify each neighboring cell**.);

control means (**see FIG.4, Controller 56**) for controlling to write the scramble codes of the visiting cell and neighboring cell, detected by said detection means, into said memory means (**see col. 7, line 42-45; note that the controller stores/writes a plurality of detected/identified/noticed/sensed neighbor scan lists in the memory**); and

measurement means (see **FIG. 4, Scanner 66; note that the scanner must calculate/determine/measure the codes in order to scan**) for measuring detection of

frequencies of the scramble codes **(see Fig. 4, candidate neighbor scan list (i.e. the candidate list which consists of scanned neighboring cells) contains the number/frequency of each encrypted/scrambled scanned cell code/identification; see col. 5, line 40-55).**

Losh'181 does not explicitly disclose measuring detection of intra-cell stay times.

However, the above-mentioned claimed limitations are taught by Leung'535. In particular, Leung'535 teaches measuring detection of intra-cell stay times **(see FIG. 2, step 120 and see FIG. 3A, the mobile unit measures/collects/stores the amount of time it spends in a each cell; see col. 2, line 19-24)**.

In view of this, having the system of Losh'181 and then given the teaching of Leung'535, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Losh'181, by providing a mechanism of a mobile station measuring/collecting the amount of time it spends in each cell, as taught by Leung'535. The motivation to combine is to obtain the advantages/benefits taught by Leung'535 since Leung'535 states at col. 1, line 45-48 that such modification would provide an improved arrangement for controlling the operation of cellular system which makes efficient use of network resources.

4. Claims 2-4, 16-21, 30-35, and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Losh'181 and Leung'535, as described above in claims 1, 15 and 29, and further in view of Seppanen (U.S. 5,903,832).

**Regarding Claims 2, 16, and 30**, the combined system of Losh'181 and Leung'535 discloses all aspects of the claimed invention set forth in the rejection of Claims 1, 15, and 29 as described above.

Neither Losh'181 nor Leung'535 explicitly discloses storing the codes in said memory means in response to user operation.

However, the above-mentioned claimed limitations are taught by Seppanen'832. In particular, Seppanen'832 teaches storing the codes (**see Fig. 24, plurality of data blocks $25_1$-$25_n$; see col. 5, line 66 to col. 5, line 9; note that various cellular system parameter and the number assignments identifies each network (i.e. a network/cell code)**) in said memory means in response to user operation (**see Fig. 3A, and 4B; col. 4, line 16-53; each user has a capability to "manually" select and store the preferred system parameters (i.e. network/cell site) in the memory (see Fig. 24, Memory 24) of a mobile station**.)

In view of this, having the combined system of Losh'181 and Leung'535, and then given the teaching of Seppanen'832, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combined system of Losh'181 and Leung'535, by providing a mechanism for a user to select and store preferred cell site/network, as taught by Seppanen'832. The motivation to combine is to obtain the advantages/benefits taught by Seppanen'832 since Seppanen'832 states at col. 3, line 40-45 that such modification would make it possible to provide an efficient and simple technique for enabling a user of a mobile terminal or station to manage, prioritize, and select between available systems.

**Regarding Claims 3, 17, and 31**, the combined system of Losh'181 and Leung'535 discloses all aspects of the claimed invention set forth in the rejection of Claims 1, 15, and 29 as described above.

Nether Losh'181 nor Leung'535 explicitly discloses automatically store the codes in said memory means.

However, the above-mentioned claimed limitations are taught by Seppanen'832. In particular, Seppanen'832 teaches automatically store the codes (**see Fig. 24, plurality of data blocks $25_1$-$25_n$; see col. 5, line 66 to col. 5, line 9; note that various cellular system parameter and the number assignments identifies each network (i.e. a network/cell code)**) in said memory means (**see col. 3, line 15-30; and col. 4, line 5-29; the mobile station automatically stores various network/cell sites in the in the memory (see Fig. 24, Memory 24)**.)

In view of this, having the combined system of Losh'181 and Leung'535, and then given the teaching of Seppanen'832, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combined system of Losh'181 and Leung'535, by providing a mechanism for a mobile station to automatically store the cell sites/networks, as taught by Seppanen'832. The motivation to combine is to obtain the advantages/benefits taught by Seppanen'832 since Seppanen'832 states at col. 3, line 45-50 that such modification would make it possible to provide a mobile terminal or station to have automatic network selection capability and temporary network selection capability by network name.

**Regarding Claims 4, 18 and 32**, the combined system of Losh'181 and Leung'535 discloses all aspects of the claimed invention set forth in the rejection of Claims 1, 15, and 29 as described above.

Neither Losh'181 nor Leung'535 explicitly discloses automatically store the codes in said memory means.

However, the above-mentioned claimed limitations are taught by Seppanen'832. In particular, Seppanen'832 teaches automatically store the codes (**see Fig. 24, plurality of data blocks $25_1$-$25_n$; see col. 5, line 66 to col. 5, line 9; note that various cellular system parameter and the number assignments identifies each network (i.e. a network/cell PN code)**) in said memory means (**see col. 3, line 15-30; and col. 4, line 5-29; the mobile station automatically stores various network/cell sites in the in the memory (see Fig. 24, Memory 24).)**

In view of this, having the combined system of Losh'181 and Leung'535, and then given the teaching of Seppanen'832, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combined system of Losh'181 and Leung'535, by providing a mechanism for a mobile station to automatically store the cell sites/networks, as taught by Seppanen'832, for the same motivation as stated above in Claim 3, 17, and 31.

**Regarding Claims 5, 19, 33 and 43**, the combined system of Losh'181 and Leung'535 discloses all aspects of the claimed invention set forth in the rejection of Claims 1, 4, 15 and 29 as described above.

Neither Losh'181 nor Leung'535 explicitly discloses storing the codes in the memory means upon assigning priorities.

However, the above-mentioned claimed limitations are taught by Seppanen'832. In particular, Seppanen'832 teaches storing the codes (**see Fig. 24, plurality of data blocks $25_1$-$25_n$; see also col. 5, line 66 to col. 5, line 9; note that various cellular system parameter and the number assignments identifies each network (i.e. a network/cell code)**) in the memory means upon assigning priorities (**see col.3, line 1-30; col. 4, line 5-29; the mobile station automatically prioritizes various network/cell sites (i.e. home area being a higher priority than others) in the memory (see Fig. 24, Memory 24), or the user manually prioritizes various network/cell sites by selecting and storing in the mem**ory.)

In view of this, having the combined system of Losh'181 and Leung'535, and then given the teaching of Seppanen'832, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combined system of Losh'181 and Leung'535, by providing a mechanism for a mobile station to automatically store the cell sites/networks according to the priorities, as taught by Seppanen'832. The motivation to combine is to obtain the advantages/benefits taught by Seppanen'832 since Seppanen'832 states at col. 3, line 45-50 that such modification would make it possible to provide a mobile terminal or station to have automatic network selection capability and temporary network selection capability by network name and a capability for setting parameters and priorities of networks.

**Regarding Claims 6, 20 and 34**, the combined system of Losh'181 and Leung'535 discloses all aspects of the claimed invention set forth in the rejection of Claims 1, 5, 15, 19, 29, and 33.

Neither Losh'181 nor Leung'535 explicitly discloses detection by preferentially using the codes stored in the memory means.

However, the above-mentioned claimed limitations are taught by Seppanen'832. In particular, Seppanen'832 teaches performing cell detection by preferentially using the codes **(see Fig. 24, plurality of data blocks $25_1$-$25_n$; see also col. 5, line 66 to col. 5, line 9; note that various cellular system parameter and the number assignments identifies each network (i.e. cell site)**;) stored in the memory means **(see col.3, line 1-30; col. 4, line 29-53 and col. 7, line 54 to col. 8, line 50; the user manually prioritizes various network/cell sites by selecting/preferring and storing in the memory. Once the user stores the selected/preferred cell/network in the memory, the mobile station performs cell detection and registration according to the list of selected/preferred cell or network site**.)

In view of this, having the combined system of Losh'181 and Leung'535, and then given the teaching of Seppanen'832, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combined system of Losh'181 and Leung'535, by providing a mechanism for a mobile station to performs cell detection and registration according to the selected/preferred cell/network site, as taught by Seppanen'832. The motivation to combine is to obtain the advantages/benefits taught by Seppanen'832 since Seppanen'832 states at col. 3, line 45-50 that such modification would make it possible to

enable a user of a mobile terminal or station to manage, prioritize, and select between available systems.

**Regarding Claims 7, 21 and 35**, the combined system of Losh'181 and Leung'535 discloses all aspects of the claimed invention set forth in the rejection of Claims 1, 5, 6, 15,19, 20, 29, 33, and 34 as described above. Losh'181 discloses a plurality of codes, stored in the memory means (**see FIG. 4, a list 60 is stored in the memory 58**).

Neither Losh'181 nor Leung'535 explicitly discloses a plurality of codes, stored in the memory means, in the descending order of priorities.

However, the above-mentioned claimed limitations are taught by Seppanen'832. In particular, Seppanen'832 teaches a plurality of codes (**see Fig. 24, plurality of data blocks $25_1$-$25_n$; see also col. 5, line 66 to col. 5, line 9; note that various cellular system parameter and the number assignments identifies each network (i.e. cell site)**), stored in the memory means, in the descending order of priorities (**col. 4, line 16-28; the cell/network site list stored in the memory is prioritized is such as way that the higher the level on the list, the higher the priorities (i.e. the high priority to low priority on the list), and thus it is prioritized in descending order.**)

In view of this, having the system of Losh'181 and then given the teaching of Seppanen'832, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Losh'181, by providing a mechanism for a mobile station to store the cell sites/networks according by priorities from high to low, as taught by Seppanen'832, for the same motivation that stated above in Claims 5, 19 and 33.

5. Claims 11, 12, 25,26,39,40,49,50,54 and 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Losh'181, Leung'535 and Seppanen'832 as applied to claims 6, 20, and 34 above, and further in view of Nystrom (U.S. 6,526,091).

**Regarding claims 11, 25, 39, 49, 50, 54, and 55**, the combined system of Losh'181, Leung'535 and Seppanen'832 discloses wherein the detection step comprises the step of performing cell detection by preferentially using a scramble code which is stored in the memory means as stated above in Claims 6,20, and 34.

Neither Losh'181, Leung'535, nor Seppanen'832 explicitly discloses specifying a scramble code group at the time of detection of the scramble code, and the step of performing cell detection by using a scramble code, which belongs to the specified scramble code group.

However, the above-mentioned claimed limitations are taught by Nystrom'091. In particular, Nystrom'091 teaches specifying a scramble code group at the time of detection of the scramble code, and the step of performing cell detection by using a scramble code, which belongs to the specified scramble code group (**see col. 3, line 29 to col. 4, line 9; note that MS or remote terminal detects/searches and identifies one or more BSs (or cells sites) utilizing scrambling code groups which are assigned to the scrambling codes**).

In view of this, having the combined system of Losh'181, Leung'535 and Seppanen'832, then given the teaching of Nystrom'091, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combined system of Losh'181, Leung'535 and Seppanen'832, by providing a mechanism to detect/search scrambling code groups which are assigned to each scrambling codes before

searching each individual scrambling code, as taught by Nystrom'091. The motivation to combine is to obtain the advantages/benefits taught by Nystrom'091since Nystrom'091states at col. 3, line 29-44 that such modification would make it possible to efficiently help search/synchronize the remote terminal to the BS and identify the BS-specific scrambling code and improves such synchronization channels in terms of both performance and MS complexity.

**Regarding claims 12, 26, and 40**, the combined system of Losh'181, Leung'535 and Seppanen'832 discloses wherein the detection step comprises the step of performing cell detection in accordance with a priority of a scramble code, which is stored in the memory means as stated above in claims 6, 21, 35, and 36.

Neither Losh'181, Leung'535, nor Seppanen'832 explicitly discloses specifying a scramble code group at the time of detection of the scramble code, and the step of performing cell detection by using a scramble code, which belongs to the specified scramble code group.

However, the above-mentioned claimed limitations are taught by Nystrom'091. In particular, Nystrom'091 teaches specifying a scramble code group at the time of detection of the scramble code, and the step of performing cell detection by using a scramble code, which belongs to the specified scramble code group (**see col. 3, line 29 to col. 4, line 9; note that MS or remote terminal detects/searches and identifies one or more BSs (or cells sites) utilizing scrambling code groups which are assigned to the scrambling codes**).

In view of this, having the combined system of Losh'181, Leung'535 and Seppanen'832, then given the teaching of Nystrom'091, it would have been obvious to one

having ordinary skill in the art at the time the invention was made to modify the combined system of Losh'181, Leung'535 and Seppanen'832, by providing a mechanism to detect/search scrambling code groups which are assigned to each scrambling codes before searching each individual scrambling code, as taught by Nystrom'091 for the same motivation as stated above in claims 11, 25 and 39.

6. Claims 13, 14, 27,28,41,42,44-47,51,52,56 and 57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Losh'181, Leung'535, as applied to claims 1, 15 and 29 above, and further in view of and Seppanen'832 and Nystrom (U.S. 6,526,091).

**Regarding claims 13, 27, 41, 44 and 45**, the combined system of Losh'181, Leung'535 discloses wherein the detection means is configured to specify a scramble code at the time of detection of a neighboring cell in a handover state (see Losh'181, see col. 6, lines 42-50). Losh'181 also discloses storing a scramble code of the neighboring cell in said memory means as described above in claims 1, 15 and 29.

Neither Losh'181 nor Leung'535 explicitly discloses detection by **preferentially** using the codes stored in the memory means.

However, the above-mentioned claimed limitations are taught by Seppanen'832. In particular, Seppanen'832 teaches performing cell detection by preferentially using the codes **(see Fig. 24, plurality of data blocks $25_1$-$25_n$; see also col. 5, line 66 to col. 5, line 9; note that various cellular system parameter and the number assignments identifies each network (i.e. cell site);)** stored in the memory means **(see col.3, line 1-30; col. 4, line 29-53 and col. 7, line 54 to col. 8, line 50; the user manually prioritizes various network/cell**

**sites by selecting/preferring and storing in the memory. Once the user stores the selected/preferred cell/network in the memory, the mobile station performs cell detection and registration according to the list of selected/preferred cell or network site.**)

In view of this, having the combined system of Losh'181 and Leung'535, and then given the teaching of Seppanen'832, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combined system of Losh'181 and Leung'535, by providing a mechanism for a mobile station to performs cell detection and registration according to the selected/preferred cell/network site, as taught by Seppanen'832. The motivation to combine is to obtain the advantages/benefits taught by Seppanen'832 since Seppanen'832 states at col. 3, line 45-50 that such modification would make it possible to enable a user of a mobile terminal or station to manage, prioritize, and select between available systems.

Neither Losh'181, Leung'535, nor Seppanen'832 explicitly discloses specifying a scramble code group at the time of detection of the scramble code, and the step of performing cell detection by using a scramble code, which belongs to the specified scramble code group.

However, the above-mentioned claimed limitations are taught by Nystrom'091. In particular, Nystrom'091 teaches specifying a scramble code group at the time of detection of the scramble code, and the step of performing cell detection by using a scramble code, which belongs to the specified scramble code group (**see col. 3, line 29 to col. 4, line 9; note that MS or remote terminal detects/searches and identifies one or more BSs (or cells sites) utilizing scrambling code groups which are assigned to the scrambling codes**).

In view of this, having the combined system of Losh'181, Leung'535 and Seppanen'832, then given the teaching of Nystrom'091, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combined system of Losh'181, Leung'535 and Seppanen'832, by providing a mechanism to detect/search scrambling code groups which are assigned to each scrambling codes before searching each individual scrambling code, as taught by Nystrom'091. The motivation to combine is to obtain the advantages/benefits taught by Nystrom'091since Nystrom'091states at col. 3, line 29-44 that such modification would make it possible to efficiently help search/synchronize the remote terminal to the BS and identify the BS-specific scrambling code and improves such synchronization channels in terms of both performance and MS complexity.

**Regarding claims 14,28,42,46,47,51,52,56 and 57**, the combined system of Losh'181 and Leung'535 discloses wherein said control means performs control using a scramble/encrypted code and storing scramble code in memory means as described above in claims 1, 15 and 29 above.

Neither Losh'181 nor Leung'535 explicitly discloses detection by preferentially using the codes stored in the memory means.

However, the above-mentioned claimed limitations are taught by Seppanen'832. In particular, Seppanen'832 teaches performing cell detection by preferentially using the codes **(see Fig. 24, plurality of data blocks $25_1$-$25_n$; see also col. 5, line 66 to col. 5, line 9; note that various cellular system parameter and the number assignments identifies each**

**network (i.e. cell site)**;) stored in the memory means (**see col.3, line 1-30; col. 4, line 29-53 and col. 7, line 54 to col. 8, line 50; the user manually prioritizes various network/cell sites by selecting/preferring and storing in the memory. Once the user stores the selected/preferred cell/network in the memory, the mobile station performs cell detection and registration according to the list of selected/preferred cell or network site**.)

In view of this, having the combined system of Losh'181 and Leung'535, and then given the teaching of Seppanen'832, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combined system of Losh'181 and Leung'535, by providing a mechanism for a mobile station to performs cell detection and registration according to the selected/preferred cell/network site, as taught by Seppanen'832. The motivation to combine is to obtain the advantages/benefits taught by Seppanen'832 since Seppanen'832 states at col. 3, line 45-50 that such modification would make it possible to enable a user of a mobile terminal or station to manage, prioritize, and select between available systems.

Neither Losh'181, Leung'535, nor Seppanen'832 explicitly discloses specifying a scramble code group by using a scramble code group to which a scramble code stored, when said detection means specifics a scramble code group.

However, the above-mentioned claimed limitations are taught by Nystrom'091. In particular, Nystrom'091 teaches specifying a scramble code group by using a scramble code group to which a scramble code stored, when said detection means specifics a scramble code group (**see col. 3, line 29 to col. 4, line 9; note that MS or remote terminal first**

**detects/searches and identifies/specifies one or more BSs (or cells sites) utilizing scrambling code groups which are assigned to the scrambling codes in order to specify/identify any particular scramble code stored in each group memory). Also, it is well known in the art of searching mechanism in memory structure, first one must preferentially search a group name (i.e. a file folder name) of any particular member, ID, name, or code (i.e. a file name), since each group is uniquely identified by each group category. Once the group is identified, any particular member, ID, name, or code is searched and identified.**

Similar scenario applies to memory searching mechanism of Losh'181, Leung'535, and Seppanen'832 an Nystrom'091. First, a scramble group is preferentially searched/specified in the list of scramble code groups when searching/specifying any particular scramble code. In view of this, having the combined system of Losh'181, Leung'535 and Seppanen'832, then given the teaching of Nystrom'091, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combined system of Losh'181, Leung'535 and Seppanen'832, by providing a mechanism to detect/search scrambling code groups which are assigned to each scrambling codes before searching each individual scrambling code, as taught by Nystrom'091. The motivation to combine is to obtain the advantages/benefits taught by Nystrom'091since Nystrom'091states at col. 3, line 29-44 that such modification would make it possible to efficiently help search/synchronize the remote terminal to the BS and identify the BS-specific scrambling code and improves such synchronization channels in terms of both performance and MS complexity. Also, the motivation to combine is to obtain the advantages/benefits taught by

well established teaching in art since well established teaching in art teaches hat such modification would make it possible to increase the speed of searching any particular file/item in the memory, by first preferentially searching/specifying a group/folder,

***Allowable Subject Matter***

7. Claims 8-10, 22-24, 36-38, 48, and 53 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ian N Moore whose telephone number is 703-605-1531. The examiner can normally be reached on M-F: 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Ngo can be reached on 703-305-4798. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

INM
5/18/04

RICKY NGO
PRIMARY EXAMINER

**Applicant's Reply and Subsequent Office Action Review Checklist**

09/661,195

**Applicant's Reply**

☑ Verify that reply is complete (MPEP 704.12(b)) and timely (MPEP 704.13)

☐ Properly treat an incomplete reply (MPEP 704.12 (c))

N/A **Final Rejection**

☐ Examiner has treated and responded to all of applicant's arguments and/or indicated applicant's moot in view of a new grounds for rejection and used form paragraph 7.38.

☐ Verify that final rejection is proper and not premature. Never send out an improper or premature final rejection just to maintain an art rejection if the art is not the best art – always use the very best art available in a final rejection even if that means sending out a non-final action or reopening prosecution (see SPE about reopening prosecution).

**Second or Subsequent Non-final Action**

☑ Verify that any new ground of rejection (even to a single claim) that was not necessitated by applicant amending the claims, nor based on an IDS disclosure as defined by 37 CFR 1.97, is not presented in a final Office action and has been presented as a subsequent non-final Office action

N/A ☑ Treat and respond to all of applicant's arguments

☑ Watch use of form paragraph "Applicant's arguments are considered moot in view of the new grounds for rejection". This is used only when all of applicant's arguments are no longer valid in view of new art – usually, some of the arguments still apply and those must be considered and responded to by the examiner.

☑ These actions (a second or subsequent non-final) should be rare and not used as routine prosecution.